

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REGINALD PETTY,

Plaintiff,

-v.-

GLENN GOORD, et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 3-5-07

00 Civ. 803 (JSR)

ORDER

X

JED S. RAKOFF, U.S.D.J.

On February 6, 2007, the Honorable Frank Maas, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that defendants' motion to dismiss be denied.

Defendants have failed to file any objection to the Report and Recommendation, and, for that reason alone, have waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, denies defendants' motion to dismiss plaintiff's complaint.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
March 2, 2007